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Intellectual Property Administration
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PATENT APPLICATION

ATTORNEY DOCKET NO. 200207858-1

IN THE
UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s): ROMERO

Confirmation No.: 2634

Application No.: 10/616,883

Examiner: To, Jennifer N.

Filing Date: 07/10/2003

Group Art Unit: 2195

Title: SYSTEMS AND METHODS FOR MONITORING RESOURCE UTILIZATION AND APPLICATION PERFORMANCE

Mail Stop Appeal Brief-Patents
Commissioner For Patents
PO Box 1450
Alexandria, VA 22313-1450

RESPONSE TO NON-COMPLIANT APPEAL BRIEF

Transmitted herewith is the Appeal Brief in this application with respect to the Notice of Non-Compliant Appeal Brief mailed .
on 3/12/2008

(complete (a) or (b) as applicable)

The proceedings herein are for a patent application and the provisions of 37 CFR 1.136(a) apply.

☐ (a) Applicant petitions for an extension of time under 37 CFR 1.136 (fees: 37 CFR 1.17(a)-(d)) for the total number of months checked below:

☐ 1st Month
\$120

☐ 2nd Month
\$460

☐ 3rd Month
\$1050

☐ 4th Month
\$1640

☐ The extension fee has already been filed in this application.

☒ (b) Applicant believes that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

Please charge to Deposit Account 08-2025 the sum of _____. At any time during the pendency of this application, please charge any fees required or credit any over payment to Deposit Account 08-2025 pursuant to 37 CFR 1.25. Additionally please charge any fees to Deposit Account 08-2025 under 37 CFR 1.16 through 1.21 inclusive, and any other sections in Title 37 of the Code of Federal Regulations that may regulate fees.

Respectfully submitted,

ROMERO

By /John P. Wagner, Jr./

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Date : 4/11/2008

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